
By: **Senators Kittleman, Greenip, Harris, Mooney, and Schrader**
Introduced and read first time: January 21, 2003
Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Education - County School Board - Authority to Remove County**
3 **Superintendents**

4 FOR the purpose of repealing certain provisions of law relating to the authority of the
5 State Superintendent of Schools to approve the appointment or removal of a
6 county superintendent of schools; authorizing a county board of education to
7 remove a county superintendent under certain circumstances; making a stylistic
8 change; and generally relating to the authority of a county school board to
9 remove a county superintendent.

10 BY repealing and reenacting, with amendments,
11 Article - Education
12 Section 4-201(c)
13 Annotated Code of Maryland
14 (2001 Replacement Volume and 2002 Supplement)

15 BY repealing
16 Article - Education
17 Section 4-201(e)
18 Annotated Code of Maryland
19 (2001 Replacement Volume and 2002 Supplement)

20 BY adding to
21 Article - Education
22 Section 4-201(e)
23 Annotated Code of Maryland
24 (2001 Replacement Volume and 2002 Supplement)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
26 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Education**

2 4-201.

3 (c) [(1)] An individual may not be appointed as county superintendent unless
4 [he] THE INDIVIDUAL:5 [(i)] (1) Is eligible to be issued a certificate for the office by the
6 State Superintendent;7 [(ii)] (2) Has graduated from an accredited college or university;
8 and9 [(iii)] (3) Has completed 2 years of graduate work at an accredited
10 college or university, including public school administration, supervision, and
11 methods of teaching.12 [(2)] The appointment of a county superintendent is not valid unless
13 approved in writing by the State Superintendent.14 (3) If the State Superintendent disapproves an appointment, he shall
15 give his reasons for disapproval in writing to the county board.]

16 [(e) (1) The State Superintendent may remove a county superintendent for:

17 (i) Immorality;

18 (ii) Misconduct in office;

19 (iii) Insubordination;

20 (iv) Incompetency; or

21 (v) Willful neglect of duty.

22 (2) Before removing a county superintendent, the State Superintendent
23 shall send him a copy of the charges against him and give him an opportunity within
24 10 days to request a hearing.25 (3) If the county superintendent requests a hearing within the 10-day
26 period:27 (i) The State Superintendent promptly shall hold a hearing, but a
28 hearing may not be set within 10 days after the State Superintendent sends the
29 county superintendent a notice of the hearing; and30 (ii) The county superintendent shall have an opportunity to be
31 heard publicly before the State Superintendent in his own defense, in person or by
32 counsel.]

1 (E) A COUNTY BOARD MAY REMOVE A COUNTY SUPERINTENDENT, SUBJECT
2 TO THE TERMS OF THE CONTRACT BETWEEN THE SUPERINTENDENT AND THE
3 COUNTY BOARD OR FOR CAUSE.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2003.